

a housing having first and second juxtaposed halves, a top and a bottom, with each half having a blade end and a back end, which blade end and back end form a front and a back of the housing, wherein the longitudinal axis of the housing extends from the front to the back;

a blade removably engaged within the housing and extending outward from the front, the blade having a cutting edge extending outward along the bottom of the housing;

first and second juxtaposed hooks in the blade ends of the first and second halves respectively, wherein each hook forms an opening extending from the bottom of the housing toward the top, each opening being defined by a first side, a second side and an apex, wherein each opening and hook may reversibly retain a measuring tape having a tab in a close and substantially parallel alignment to a surface to be cut, wherein the tape extends laterally from the longitudinal axis of the housing, and wherein no additional parts or assembly are needed. *And over*

8. The utility knife of Claim 7 wherein the blade is retractable.

9. The utility knife of Claim 7 wherein the hook may receive various sizes of measuring tape tabs.

10. A method for simultaneously cutting and measuring a surface comprising the steps of:

grasping a utility knife comprising a blade and a housing, the housing having two halves and a hook in each half, each hook being adapted to hold a tape measure tab with a tape measure attached, wherein the hook is adapted to hold the tape measure in a position approximately parallel to the surface to be cut;

inserting the tape measure tab of a measuring tape into one of the hooks and extending the tape laterally to the desired distance so that the measure is in a position approximately parallel to the surface to be cut;

inserting the blade of the knife into the surface to be cut; and

simultaneously holding the tape measure and cutting with the knife so that the tape measure and the knife are substantially oppositely aligned with the surface to be cut and the tape measure extending between them. ✓

11. A utility knife for cutting surfaces consisting of a housing having a blade end and a back end, the housing adapted to removably receive a cutting blade extending from the blade end, wherein the housing comprises two juxtaposed halves, each half having top and a bottom and an opening extending from the bottom toward the top, each opening defining a hook for

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removably attaching a measuring tape tab, wherein the hooks are juxtaposed and each is adapted to hold a tape measure tab such that the measure may be extended during cutting and held in a position approximately parallel to the surface to be cut, and where no additional parts or assembly are needed.

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12. The knife of claim 11 wherein the blade is retractable.

13. The hook of claim 11 wherein the hook may receive variously sized measuring tape tabs.

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### Rejection Under 35 U.S.C. § 103

Claims 1 – 6 are rejected as unpatentable over Mackie, and over Mackie in view of Coffey. In light of the clarifying amendments above, and for the reasons set forth below, Applicant respectfully submits that Mackie alone, and Mackie in view of Coffey, do not disclose Applicant's invention (as amended).

Applicant has amended the claims to further emphasize the location and orientation of the hook and the bi-directional integrated nature of the hook, and the hook being able to accommodate variously sized measuring tape tabs. Applicant has also included the feature that no additional parts or assembly are needed to hold the measuring tape in place. As discussed below and as disclosed in the Specification, these features provide advantages that are not disclosed or claimed by Mackie, or by Mackie in view of Coffey.

Applicant describes and claims knife with an integrated hook for holding a measuring tape tab which, by virtue of the hook location and design, can be used for measuring to the right or left without disassembly or reassembly, which holds the tape in approximately parallel orientation and close to the surface to be cut, which does not require the use of small parts and which accommodates a variety of tab sizes. These advantages are described in throughout the Specification and specifically at pages 4 and 5.

The Examiner characterizes Mackie as disclosing a utility knife with a two part housing, a retractable blade and a hook that can hold a tape measure. The Examiner states that Applicant is duplicating the hook disclosed in Mackie, and that it would have been obvious to replace Mackie's hook with a space on the bottom of the knife as taught by Coffey.

Applicant understands Mackie, however, to describe a removable attachment to a utility knife (p.1, line 4) that is inserted into a conventional utility knife alongside a blade. This attachment contains a fixed-dimension slot that is designed to hold the flange end of a tape